

REMARKS

Status

This Amendment is responsive to the Office Action dated January 30, 2004, in which Claims 1-12, 14-21, 23-35, 37-44, 46-58, 60-67 and 69 were rejected and Claims 13, 22, 36, 45, 59, and 68 were objected to.

Claims 7-9, 11, 15-21, and 48-69 have been canceled; Claims 1, 13, 22-24, 36, 38, and 45 have been amended; and new Claim 70 has been added. Accordingly, Claims 1-6, 10, 12-14, 22-47, and 70 are pending in the application, and are presented for reconsideration and allowance.

Allowable Subject Matter

Claims 13, 22, 36, 45, 59, and 68 stand objected to, but the Office Action indicates that they would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowance of these claims.

While Claims 59 and 68 have been canceled, Claims 13, 22, 36, and 45 have been rewritten in independent form, and as rewritten, are believed to be in condition for allowance.

Claim Rejection - 35 USC § 103

Claims 1-12, 14-21, 23-35, 37-44, 46-58, 60-67, and 69 stand rejected under 35 USC 103(a) as being unpatentable over the combination of the software problem published by EPSON entitled "Film Factory" version 1.0 and US Patent No. 5,724,456 (*Boyack*). While Claims 7-9, 11, 15-21, and 48-69 have been cancelled, this rejection is respectfully traversed with regard to Claims 1-6, 10, 12, 14, 23-35, 37-44, and 46-47.

As amended, independent Claims 1, 24, and 38 are believed to be novel and nonobvious over the cited references. There is no teaching or suggestion in the cited references for producing an enhanced image by allowing the simultaneous display of at least three rendered digital images and allowing the selection of two of more of these simultaneously displayed rendered digital images. Absent some teaching, suggestion, or incentive supporting the

combination, obviousness cannot be established. As such, independent Claims 1, 24, and 38 are considered to be patentable over the cited references.

Claims 2-6, 10, 12, 14, 23, 25-35, 37, 39-44, and 46-47 are dependent on Claims 1, 24, or 38, and therefore include all the features thereof. For the reasons set forth above with regard to Claims 1, 24, and 38, dependent Claims 2-6, 10, 12, 14, 23, 25-35, 37, 39-44, and 46-47 are also believed to be patentable.


Summary

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,


Attorney for Applicants
Registration No. 39,324

Susan L. Parulski
Rochester, NY 14650
Telephone: (585) 477-4027
Facsimile: (585) 477-4646